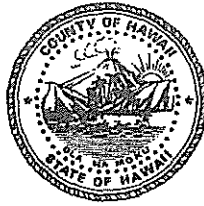


William P. Kenoi
Mayor



BJ Leithead Todd
Director

Margaret K. Masunaga
Deputy

County of Hawai'i

PLANNING DEPARTMENT

Aupuni Center • 101 Pauahi Street, Suite 3 • Hilo, Hawai'i 96720
Phone (808) 961-8288 • Fax (808) 961-8742

August 19, 2010

Mr. Keith Okamoto
County of Hawai'i
Department of Water Supply
345 Kekūānāo'a Street, Suite 20
Hilo HI 96720

Dear Mr. Okamoto:

**Subject: Special Management Area Use Permit Assessment Application (SAA 10-000588)
Special Management Area Minor Permit No. 10-000157**

Applicant: County of Hawai'i, Department of Water Supply

Land Owner: County of Hawai'i, Department of Water Supply

Request: Construction of a Paved Driveway and Parking Area

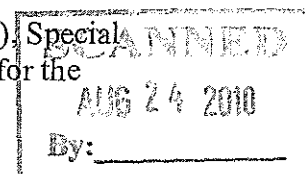
Tax Map Key: 2-2-30:15, Waiākea, South Hilo, Hawaii

This is to follow up on our August 17, 2010 letter relating to the above-referenced Special Management Area assessment for the construction of a paved driveway and parking area on the subject parcel.

This 4.678 acre parcel is designated Urban by the State Land Use Commission and is zoned General Commercial (CG-7.5) by the County. Although it is in the Special Management Area, this parcel does not have frontage along the coastline and is a considerable distance from the ocean.

According to Chapter 205A-22, Hawai'i Revised Statutes (HRS), and Planning Commission Rule No. 9-4(e)(1)(E) relating to Special Management Area, the construction of a paved driveway and parking area is considered "*Construction, reconstruction, demolition or alteration of the size of any structure*" and defined as "development". Therefore, a Special Management Area Minor Permit is required.

For this reason and pursuant to Planning Commission Rule Section 9-10(E), Special Management Area Minor Permit No. 10-000157 is hereby issued to allow for the



Mr. Keith Okamoto
Department of Water Supply
Page 2
August 19, 2010

construction of a paved driveway and parking area, subject to the applicant's compliance with the conditions of approval as required by the permit.

Finally, all other applicable Zoning and Building Code requirements must also be satisfied.

Should you have questions, please feel free to contact Esther Imamura of this department at 961-8139.

Sincerely,



BJ LEITHEAD TODD
Planning Director

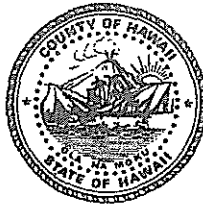
ETI

P:\Public\Wpwin60\CZM\SMM\2010\SMM 10-157L DWS.Rtf

Enclosures - SMM No. 10-000157
Department of Public Works August 19, 2010 Memo

cc w/Encls: Long Range Planning ✓
Planning
Mr. Abbey S. Mayer, Director – Office of Planning, DBED&T

William P. Kenoi
Mayor



BJ Leithead Todd
Director

Margaret K. Masunaga
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Special Management Area Minor Permit No. 10-000157

Project: Construction of a Paved Driveway and Parking Area
Applicant: County of Hawai'i, Department of Water Supply
Land Owner: County of Hawai'i, Department of Water Supply
Location: Waiākea, South Hilo, Hawai'i
TMK: 2-2-30:15 **Land Area:** 4.678 acres

Applicant's Request

1. Project Description:

The proposed project is to provide a paved driveway and parking area around the recently completed air conditioning mechanical building. Currently, the area around the mechanical building is a grass lawn with a sidewalk for pedestrian traffic.

2. Purpose of Project:

The proposed project will provide vehicular access for maintenance of mechanical room equipment and provide parking for the lower floor of the main office building.

3. Project Valuation:

\$84,675.00

4. Determination:

According to Chapter 205A-22, HRS, and Planning Commission Rule No. 9-4(e)(1)(E) relating to the Special Management Area, "*Construction, reconstruction, demolition, or alteration of the size of any structure*" is not exempt from the definition of "development." Therefore, the proposed project requires a SMA Minor Permit.

State and County Plans

- 1. State Land Use District:** The subject parcel is designated Urban by the State Land Use Commission.
- 2. General Plan:** The Hawaii County General Plan Land Use Pattern Allocation Guide (LUPAG) Map designates the parcel as High Density Urban.

3. **County Zoning:** This parcel is zoned General Commercial (CG-7.5).
4. **Special Management Area (SMA):** Although the subject parcel is located in the SMA, it does not have frontage along the coastline and is located a considerable distance from the ocean.
5. **Flood Zone:** Flood Zone "X".

<p style="text-align: center;">Compliance with Objectives and Policies of Chapter 205A, Hawaii Revised Statutes (HRS), Regarding the Special Management Area</p>

This property does not have frontage along the coastline and is located a considerable distance from the ocean. Therefore, the proposed improvements will not affect lateral public access or coastal recreational resources available to the public.

Check all objectives and policies found to be consistent with proposed development. Issuance of SMA Minor Permit requires that activity be consistent with all objectives & policies.

The proposed development is consistent with the following objectives and policies:

- ☒ Development will not have any significant adverse environmental or ecological effect, except as such adverse effect is minimized to the extent practicable and clearly outweighed by public health, safety, or compelling public interest. Such adverse effect shall include, but not be limited to, the potential cumulative impact of individual developments, each one of which taken in itself might not have a substantial adverse effect and the elimination of planning options.
- ☒ The proposed development is consistent with the Hawaii County General Plan and the Zoning Code.
- ☒ The proposed development does not conflict with the following objectives of Chapter 205A, HRS, to:
 - ☒ Provide coastal recreational opportunities accessible to the public.
 - ☒ Protect, preserve, and where desirable, restore those natural and man-made historic and pre-historic resources in the coastal zone management area that are significant in Hawaiian and American history and culture.
 - ☒ Protect, preserve, and where desirable, restore or improve the quality of coastal scenic and open space resources.
 - ☒ Protect valuable coastal ecosystems from disruption and minimize adverse impacts on all coastal ecosystems.
 - ☒ Provide public or private facilities and improvements important to the State's economy in suitable locations.
 - ☒ Reduce hazard to life and property from tsunami, storm waves, stream flooding, erosion, subsidence and pollution.

- ☒ Improve the development review process, communication, and public participation in the management of coastal resources and hazards.
- ☒ Stimulate public awareness, education, and participation in coastal management.
- ☒ Protect beaches for public use and recreation.
- ☒ Promote the protection, use, and development of marine and coastal resources to assure their sustainability.
- ☒ The proposed development is consistent with the following policies of Chapter 205A, HRS, relating to:
 - ☒ Recreational Resources
 - ☒ Historic Resources
 - ☒ Scenic and Open Space Resources
 - ☒ Coastal Ecosystems
 - ☒ Economic Uses
 - ☒ Coastal Hazards
 - ☒ Managing Development
 - ☒ Public Participation
 - ☒ Beach Protection
 - ☒ Marine Resources
- ☒ The proposed development conforms to the requirements of Chapter 343, HRS, regarding Environmental Impact Statements.

Findings

As discussed above, the proposed development will not have any significant adverse environmental or ecological effect, except as such adverse effect is minimized to the extent practicable and clearly outweighed by public health, safety, or compelling public interest.

The proposed development is consistent with the Hawaii County General Plan and Zoning Code.

The proposed development is consistent with the objectives, policies, and SMA guidelines of Chapter 205A, HRS.

The estimated project cost of \$84,675.00 is not in excess of \$125,000.

The enclosed Department of Public Works, Engineering Division memorandum dated August 19, 2010 states the following:

"We have reviewed the subject application for compliance with Chapter 27, Floodplain Management, forwarded by your memo dated August 17, 2010 and have no objections to the request."

The proposed construction is in an area designated as Zone X on the Flood Insurance Rate Map (FIRM) by the Federal Emergency Management Agency (FEMA). Zone X is an area determined to be outside the 500-year floodplain."


Pursuant to Planning Commission Rule Section 9-10(E), **Special Management Area Minor Permit No. 10-000157** is hereby approved for the construction of a paved driveway and parking area on the subject parcel. This approval is subject to the applicant's compliance with the conditions of approval as specified below.

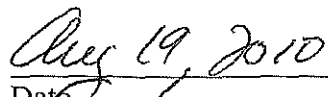
Conditions of Approval

The Planning Director has approved **SMA Minor Permit No. 10-000157** subject to the following conditions:

1. The applicant, its successors or assigns shall be responsible for complying with all stated conditions of approval.
2. The applicant shall secure all required permits from affected state and county agencies as necessary to comply with all applicable laws and regulations.
3. The construction of the paved driveway and parking area shall be completed within two (2) years from the date of approval of this permit.
4. An extension of time for the performance of the conditions contained herein may be granted by the Planning Director upon the following circumstances:
 - a) The non-performance is the result of conditions that could not have been foreseen or are beyond the control of the applicant, successors or assigns, and that are not the result of their fault or negligence;
 - b) Granting of the time extension would not be contrary to the original reasons for the granting of the permit; and
 - c) The time extension granted shall be for a period of not to exceed the period originally granted for performance (i.e., a condition to be performed within one year may be extended up to one additional year).
5. Should any of the conditions not be met or substantially complied with in a timely fashion, the Planning Director shall initiate procedures to revoke the permit.

APPROVED:


BJ LEITHEAD TODD
Planning Director



Date

DEPARTMENT OF PUBLIC WORKS
COUNTY OF HAWAII
HILO, HAWAII

DATE: August 19, 2010

Memorandum

TO: BJ Leithead Todd, Planning Director

FROM:  Department of Public Works

SUBJECT: SMA USE PERMIT ASSESSMENT APPLICATION (SAA 10-000588)

Applicant: County of Hawaii, Department of Water Supply

Land Owner: County of Hawaii, Department of Water Supply

Request: Construction of a Paved Driveway and Parking Area

Location: Waiākea, South Hilo, Hawaii

Tax Map Key: 2-2-30: 015

We have reviewed the subject application for compliance with Chapter 27, Floodplain Management, forwarded by your memo dated August 17, 2010 and have no objections to the request.

The proposed construction is in an area designated as Zone X on the Flood Insurance Rate Map (FIRM) by the Federal Emergency Management Agency (FEMA). Zone X is an area determined to be outside the 500-year floodplain.

Questions may be referred to Kelly Gomes of the Engineering Division at ext. 8327.